

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

MICKEY MASON,

Plaintiff,

v.

JUSTIN SNELL, et al.,

Defendants.

Case No. 19-cv-1019-NJR

**MEMORANDUM AND ORDER**

**ROSENSTENGEL, Chief Judge:**

This matter is before the Court for case management purposes. Defendant M. Cannon was issued a waiver of service on Plaintiff's Complaint on December 3, 2019 (Doc. 11). Cannon returned his waiver on December 4, 2019, and his Answer was due February 3, 2020 (Doc. 13). As of this date, Defendant Cannon has failed to move, answer, or otherwise plead in response to the Complaint.

The Federal Rules of Civil Procedure provide that the Clerk of Court must enter default against a defendant who has failed to plead or otherwise defend. Fed. R. Civ. P. 55(a). Accordingly, the Court **ORDERS** as follows:

- (1) The Clerk of Court is **DIRECTED** to **ENTER DEFAULT** against Defendant Cannon in accordance with Federal Rule of Civil Procedure 55(a).
- (2) Plaintiff is **ORDERED** to move for default judgment against Defendant Cannon on or before **February 28, 2020**, in accordance with Federal Rule of Civil Procedure 55(b).
- (3) If Plaintiff fails to move for default judgment as set forth in this Order, this entire action will be dismissed as to Defendant Cannon for failure to prosecute and/or failure to comply with an order of the Court.

- (4) The Clerk of Court is **DIRECTED** to transmit a copy of this Order and the entry of default to Plaintiff and to Defendant Cannon.

**IT IS SO ORDERED.**

**DATED: February 7, 2020**

A handwritten signature in black ink, reading "Nancy J. Rosenstengel". The signature is written in a cursive style. A faint circular seal of the U.S. District Court for the District of Columbia is visible in the background behind the signature.

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**NANCY J. ROSENSTENGEL**  
**Chief U.S. District Judge**